

**REMARKS**

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2        The Applicants respectfully request consideration and allowance of new claims 23  
3 through 42 in view of the above amendments and the following arguments.  
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5        **THE NEW CLAIMS ARE NOT ANTICIPATED BY THE BOOTHBY PATENT**

6        The Examiner rejected claims 1-22 in the parent case as being anticipated by U.S. Patent  
7 No. 6,212,529 to Boothby et al. (The "Boothby patent" or "Boothby"). The Applicants believe  
8 that the new claims set out above are not anticipated or rendered obvious by the Boothby patent.

9        The Boothby patent discloses a synchronization system using user defined filters to filter  
10 out certain records from the synchronization target. As set out at Col. 7 of the Boothby patent  
11 from line 1 through 40, a synchronization session requires that the user either define a new filter  
12 or select a previously stored filter that they have previously entered. Records from the target  
13 database are ultimately compared against the filter that the user has entered or selected for the  
14 synchronization session. As a result of this comparison, either a record passes the filter or it does  
15 not. Only records passing the filter are used to synchronize the desired data to the target.

16        Claim 23 requires "receiving a synchronization request" and "determining  
17 synchronization session parameters for the synchronization request," where the synchronization  
18 session parameters include at least a client device designator and a user identifier. Claim 23  
19 further requires at element (c) the step of "selecting a prioritization scheme based on the  
20 synchronization session parameters." After retrieving scheme effecting data, the method of claim  
21 23 further requires "producing a prioritized data set based on the prioritization scheme and the  
22 scheme effecting data."

1        The Boothby patent does not teach or suggest any process for determining  
2        synchronization session parameters for a synchronization request as required at element (b) of  
3        claim 23, nor does Boothby teach or suggest "selecting a prioritization scheme based on the  
4        synchronization session parameters" as required at element (c) of claim 23. For these reasons  
5        alone, claim 23 cannot be anticipated or rendered obvious by the Boothby patent. Furthermore,  
6        the Boothby patent does not teach or suggest any prioritization of a data set as required by the  
7        final element of claim 23. Rather, the Boothby patent merely applies a filter which results in  
8        some records in a target data set being flagged as passing the filter and the remainder of the  
9        records being flagged as not passing the filter. This flagging of certain records does not represent  
10       a prioritized data set, that is, a preferentially ranked or ordered data set, as required by claim 23.  
11       Thus, the Boothby patent cannot anticipate or render obvious claim 23 for this reason as well.

12       The corresponding program product and apparatus claims included in the new claims  
13       include limitations similar to those set out in claim 23. Thus, these arguments as to claim 23  
14       apply with equal force to the remaining independent claims in the case, claims 30 and 37.

15       Because the Boothby patent does not teach or suggest each and every element required in  
16       new independent claims 23, 30, and 37, the Applicants believe that these claims are clearly  
17       entitled to allowance over the Boothby patent together with their respective dependent claims.

1 CONCLUSION

2 For all of the above reasons, the Applicants respectfully request consideration and  
3 allowance of new claims 23 through 42.

4 If the Examiner should feel that any issue remains as to the allowability of these claims,  
5 or that a conference might expedite allowance of the claims, the Examiner is asked to telephone  
6 the undersigned attorney.

7 Respectfully submitted,  
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10 The Culbertson Group, P.C.  
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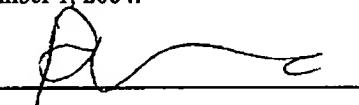
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24 CERTIFICATE OF FACSIMILE  
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26 I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark  
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